IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6929 OF 2004

Mr.Vinod Abrol ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

.....

Mr.P.A.Pol for Petitioner.

Mr.A.H.Palekar, A.G.P. for Respondents.

.....

CORAM: A.M.KHANWILKAR, J.

AUGUST 31, 2004.

P.C.

1. This Petition takes exception to the interlocutory order passed by the Appellate Court. The argument that the appeal as presented by the Respondents is not maintainable, can be canvassed before the Appellate Authority, where the appeal is pending.

2. I am informed that the appeal is already scheduled for hearing on 6th September 2004. The

Appellate Authority to proceed with the hearing on that day and finally dispose of the appeal on the same day by a reasoned order, after providing opportunity of hearing to both the parties.

3. Both the parties shall ensure that they appear before the Appellate Authority on 6th September 2004 at the notified time and place, so that, the appeal can be heard and finally disposed of on the same day. No adjournment on whatever ground, shall be entertained.

4. It is made clear that the election code of conduct will not preclude the Divisional Joint Registrar, Co-operative Societies, to proceed with the hearing of the appeal.

5. Petition disposed of on the above terms.

A.M.KHANWILKAR, J.